

**UNITED STATES DISTRICT COURT**

MIDDLE DISTRICT OF ALABAMA  
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DEBRA P. HACKETT, CLERK

TELEPHONE (334) 954-3600

November 15, 2007

**NOTICE OF MDL TRANSFER**

J.T. Noblin  
Clerk of Court  
United States District Court  
Southern District of Mississippi  
245 E. Capitol St., Suite 316  
Jackson, MS 39201

Re: In Re: MDL 1872 Wayne Farms LLC Fair Labor Standards Act  
USDC/MDAL Civil Action No. 1:07cv296-MEF  
Sonya P. Adams vs. Wayne Farms, LLC  
USDC/SDMS #: CA 2:07cv1001KS-MTP

Dear Clerk:

The referenced case is being transferred to your court pursuant to the Conditional Transfer Order entered by the Judicial Panel on Multi-District Litigation and filed with your court on 11/5/07. As requested in your e-mail, the case is being transferred electronically. The login and password has been provided to you in a separate notice via email at the email address that you provided in your letter.

**ALL FUTURE PLEADINGS SHOULD BE FILED IN THE SOUTHERN DISTRICT OF MISSISSIPPI.**

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK  
SOUTHERN DISTRICT OF MISSISSIPPI  
Jackson, Mississippi

November 6, 2007

J. T. Noblin  
CLERK

245 E. Capitol St., Suite 316  
Jackson, MS 39201

TELEPHONE  
(601) 965-4439

DIVISIONS

SOUTHERN at Gulfport  
2012 15th Street, Suite 403  
Zip 39501

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701 Main St., Suite 200  
Zip 39401

JACKSON at Jackson  
245 E. Capitol, Suite 316  
Zip 39201

EASTERN & WESTERN at Jackson  
245 E. Capitol, Suite 316  
Zip 39201

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DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

Debra P. Hackett, Clerk  
U. S. District Court  
Middle District of Alabama  
P. O. Box 711  
Montgomery, AL 36101-0711

RE: MDL No. 1872 -- IN RE: Wayne Farms LLC Fair Labor Standards Act Litigation

Title Case(s):	Your Case Number(s):	New Case Number(s):
Samuel Adams, et al v. Wayne Farms	C.A. No. 1:06-950	C.A. No. 2:07cv1000KS-MTP
Sonya P. Adams, et al v. Wayne Farms	C.A. No. 1:07-296	C.A. No. 2:07cv1001KS-MTP
Darren Anderson, et al v. Wayne Farms	C.A. No. 2:06-951	C.A. No. 2:07cv1002KS-MTP
Amos Akings, et al v. Wayne Farms	C.A. No. 2:07-297	C.A. No. 2:07cv1003KS-MTP

Dear Clerk:

Enclosed is a certified copy of the Transfer Order from the Judicial Panel on Multidistrict Litigation transferring the above entitled actions to the Southern District of Mississippi, Hattiesburg Division. The cases have been assigned to Honorable Keith Starrett for coordinated or consolidated pretrial processing pursuant to 28 USC §1407.

If the cases are electronically filed, please e-mail the PDF documents, as separate files, including a PDF copy of the docket sheet to [interdistricttransfer\\_mssd@mssd.uscourts.gov](mailto:interdistricttransfer_mssd@mssd.uscourts.gov). If cases were not electronically filed, please provide certified copies of the docket sheet, complaint with any amendments. We appreciate your prompt attention to this matter.

Sincerely yours,

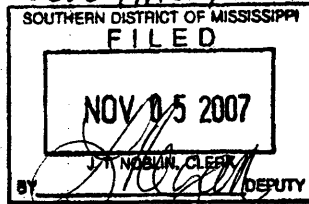
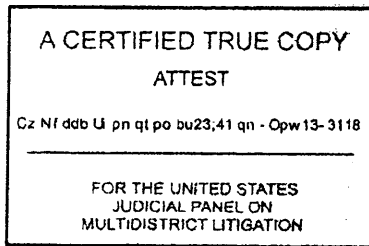
J. T. NOBLIN, CLERK

By:

  
L. Regan  
Deputy Clerk

Enclosure

2:07md1872KS-MTP



UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

23;35 qn - Opw 13-3118

FILED  
CLERK'S OFFICE

IN RE: WAYNE FARMS LLC FAIR LABOR  
STANDARDS ACT LITIGATION

MDL No. 1872

### TRANSFER ORDER

**Before the entire Panel:** Common defendant Wayne Farms LLC (Wayne Farms) has moved, pursuant to 28 U.S.C. § 1407, for coordinated or consolidated pretrial proceedings of this litigation in the Southern District of Mississippi. Plaintiffs in all actions support the motion.

This litigation currently consists of twelve actions listed on Schedule A and pending in four districts as follows: four actions each in the Middle District of Alabama and the Northern District of Alabama, and two actions each in the Northern District of Georgia and the Southern District of Mississippi.

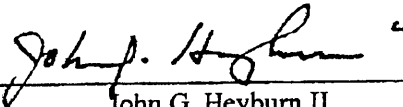
After considering all argument of counsel, we find that these twelve actions involve common questions of fact, and that centralization under Section 1407 in the Southern District of Mississippi will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. All actions share factual questions arising out of similar allegations that certain Wayne Farms employees are entitled to compensation under the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201, *et seq.* Centralization under Section 1407 will eliminate duplicative discovery; prevent inconsistent rulings on pretrial motions, including those with respect to certification of collective actions; and conserve the resources of the parties, their counsel and the judiciary.

Given that the actions are pending in nearby federal judicial districts in Alabama, Georgia, and Mississippi, any of the involved districts would be convenient for the parties and witnesses. We are persuaded that the Southern District of Mississippi is an appropriate transferee forum for this litigation. The Southern District of Mississippi has been advancing the actions efficiently with a large number of potential claimants. Additionally, all parties support centralization in this district.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the actions listed on Schedule A and pending outside the Southern District of Mississippi are transferred to the Southern District of Mississippi and, with the consent of that court, assigned to the Honorable Keith Starrett for coordinated or consolidated pretrial proceedings with the actions pending there and listed on Schedule A.

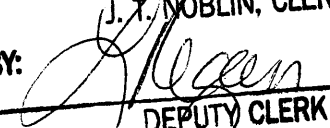
-2-

PANEL ON MULTIDISTRICT LITIGATION

  
\_\_\_\_\_  
John G. Heyburn II  
Chairman

D. Lowell Jensen  
Robert L. Miller, Jr.  
David R. Hansen

J. Frederick Motz  
Kathryn H. Vratil  
Anthony J. Scirica

A TRUE COPY, I HEREBY CERTIFY.  
J. T. NOBLIN, CLERK  
BY:   
\_\_\_\_\_  
DEPUTY CLERK

**IN RE: WAYNE FARMS LLC FAIR LABOR  
STANDARDS ACT LITIGATION**

MDL No. 1872

**SCHEDULE A**

Middle District of Alabama

Samuel Adams, et al. v. Wayne Farms LLC, C.A. No. 1:06-950  
Sonya P. Adams, et al. v. Wayne Farms LLC, C.A. No. 1:07-296  
Darren Anderson, et al. v. Wayne Farms LLC, C.A. No. 2:06-951  
Amos Akings, et al. v. Wayne Farms LLC, C.A. No. 2:07-297

Northern District of Alabama

Jimmy W. Belue, et al. v. Wayne Farms LLC, C.A. No. 4:06-2095  
Robert Thomas Dunn, et al. v. Wayne Farms LLC, C.A. No. 4:07-647  
James E. Bolden, et al. v. Wayne Farms LLC, C.A. No. 5:06-2096  
Pamela M. Allen, et al. v. Wayne Farms LLC, et al., C.A. No. 5:07-639

Northern District of Georgia

Christie Norman, et al. v. Wayne Farms LLC, C.A. No. 1:07-1154  
Joey Tate, et al. v. Wayne Farms LLC, C.A. No. 2:07-55

Southern District of Mississippi

April Agee, et al. v. Wayne Farms LLC, et al., C.A. No. 2:06-268  
Eula M. Keyes, et al. v. Wayne Farms LLC, C.A. No. 2:07-29